Registered No. M.—1175.

775

The Mysore Gazette.

Vol. 53.] PUBLISHED BY AUTHORITY. [No. 15.

BANGALORE, THURSDAY, APRIL 11, 1918.

PART III.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. J. 4039—Legis. 15-17-4, dated 3rd April 1918.

In pursuance of Section 2 of the Defence of India (Criminal Law Amendment Act, 1915) as introduced into Mysore by Regulation I of 1918, Government are pleased to direct that the following rule be inserted after Rule 3A in Government Notification No. J. 811—Legis. 46-16-9, dated 1st September 1917, as amended by Government Notification No. J. 2034—Legis. 15-17-2, dated 11th December 1917.

Maintenance of supply of commodities of general use for the purpose of securing the public safety.

3B. (1) Where in the opinion of Government it is necessary for the purpose of securing public safety to control the supply of any commodity of general use, they may, by notification in the Official Gazette, make a declaration to that effect which may extend either to the whole of Mysore or to such part thereof as may be specified in the notification.

(2) In any area in which a declaration under sub-rule (1) is in force, Government may exercise all or any of the following powers in regard to the commodity to which the declaration relates, namely :—

(*a*) By general or special order in writing require any trader to make a return in such form and within such time and to such authority as may be specified in the order as to the stocks of such commodity held by him or consigned to him or under order on his account; as to any contracts for the supply to or by him of such commodity or for or in connection with the production or manufacture of such commodity and as to any other dealing by him therein and as to the persons with whom and the prices at which any such contracts or other dealings were made or had, or at which such commodity had been bought or sold by him; as to the cost of production of such commodity, so far as the same may be known to him, and the profits usually made are expected by him on the sale thereof; and as to any other matters specified in the order with respect

to which in the opinion of the authority making the order it is desirable to obtain information for the purpose of controlling the price of such commodity;

(*b*) By notification in the Official Gazette prescribe the conditions under which (including the maximum price at which) such commodity may be sold, and such conditions may be general for the whole area or may vary as regards different localities therein, and different conditions may be prescribed for different classes of such commodity; and

(*c*) where a price for sale has been fixed in accordance with the provisions of clause (*b*) by order in writing, require a trader to place the whole or any portion of his stock, whether immediately available or not at the disposal of the Government at such time and place and in such manner as may be specified in the order on receiving payment therefor at the price or prices so fixed.

(3) Any authority having power to make an order under sub-rule (2) (*a*) may, for the purpose of testing the accuracy of any return made in accordance therewith or for obtaining information in a case where an order under that sub-rule has not, in the opinion of such authority been sufficiently complied with, empower by general or special order any person to enter and search any place, in which such person has reason to believe that any commodity in respect of which an order has been made under sub-rule (2) (*a*) is kept or stored and to take such measures as such person thinks necessary for testing the accuracy of the return or for obtaining such information.

(4) If any person except as authorised by the authority under whose orders the information was obtained discloses or makes use of any information obtained in accordance with the provisions of this rule, he shall be deemed to have contravened these rules.

(5) If any person disobeys or neglects to comply with any order made in exercise of the power conferred by sub-rule (2) or any condition of sale prescribed under that rule other than a condition as to maximum price he shall be deemed to have contravened these rules and the authority making the order may take such action as he thinks necessary to give effect to the sale.

(6) If by a notification published in pursuance of sub-rule (2) a maximum price has been fixed for any commodity, and any person sells such commodity at a price in excess thereof, such person shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to Rs. 1,000 or to three times the price received by him for the commodity so sold whichever is most, and if such person is a company, every Director and officer thereof shall be liable in like manner as if he had sold the commodity himself unless he proves that the contravention of the order took place without his knowledge or consent.

(7) Government may by order in writing authorise any officer of Government to exercise the powers referred to in sub-rule (2) clauses (*a*) and (*c*).

(8) In this rule the expression "trader" includes a manufacturer, producer, ware-housekeeper or vendor and in the case of a vendor whether wholesale or retail and whether acting on his own behalf or on behalf of any other person, and if not acting on his own behalf, the person on whose behalf he is acting.

By Order,
C. S. BALASUNDARAM IYER,
Chief Secretary to Government.

No. J. 4072, dated Bangalore, 6th April 1918.

ERRATUM.

In page 30 of the Abstract Proceedings of the Mysore Legislative Council which met on the 21st February 1918, published as supplement to the *Mysore Gazette*, dated 28th March 1918, omit "5. K. R. Srinivasa Iyengar," from the names of gentlemen who voted against the motion.

By Order,
G. SREENIVASA IYER,
Secretary, Mysore Legislative Council.